

**BEFORE THE  
TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

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**IN RE:** )  
**SPRINT COMMUNICATIONS COMPANY,** ) **Docket No. 04-00380**  
**L.P.'S AND SPRINT SPECTRUM L.P.'S** )  
**AND REQUEST TO SUSPEND TARIFF AND TO** )  
**CONDUCT A CONTESTED CASE PROCEEDING** )

**PETITION OF THE RURAL INDEPENDENT  
COALITION TO INTERVENE**

The Rural Coalition of Small Local Exchange Carriers and Cooperatives (hereinafter referred to as the "Rural Coalition")<sup>1</sup> respectfully submits this Petition for intervention in this matter pursuant to T.R.A. Rule 1220-1-2-.08 and T.C.A. § 4-5-310 and T.C.A. § 65-2-107. The grounds for this Petition are set forth below.

1. On or about October 15, 2004, BellSouth Telecommunications, Inc. (hereinafter "BellSouth") filed a tariff (hereinafter "Transit Tariff") with the Tennessee Regulatory Authority (hereinafter, the "Authority") and requested that the Transit Tariff be effective November 5, 2004<sup>2</sup>. According to the "Executive Summary" included with its filing with the Tennessee Regulatory Authority, the purpose of the tariff filing was to introduce "rates, terms, and conditions for its Transit Traffic Service in the General Subscribers Services Tariff." BellSouth further stated that "the charges for transit service as specified in this tariff will apply unless transit service is addressed in a separate agreement between BellSouth and the originating telecommunications service provider."

2. On October 27, 2004, Sprint Communications Company LP and Sprint Spectrum LP (hereinafter, collectively "Sprint") filed a complaint and request to suspend that Transit Tariff

<sup>1</sup> A list of the members of the Rural Coalition is attached hereto as Exhibit 1

<sup>2</sup> BellSouth has since voluntarily extended the requested effective date to November 9, 2004

and to conduct a contested case proceeding. The Rural Coalition also requests that this Authority suspend the proposed Transit Tariff and conduct a contested case proceeding because it is uncertain at this time whether the individual Rural Coalition members' interests in this matter or each of their status vis-à-vis BellSouth is the same as Sprint. The Rural Coalition respectfully submits that their participation will ensure that the full panoply of issues raised by the BellSouth proposed tariff are identified and addressed, and that a decision on the merits by the Authority will be based on a complete record.

3. BellSouth, by this proposed Transit Tariff, seeks, in effect, to impose a requirement for an originating local exchange carrier (LEC) to deliver traffic to a point of interconnection beyond its network and impose transit fees upon that LEC for delivering that traffic. Through this Transit Tariff, BellSouth may suggest the authority to impose obligations on the Coalition that, through BellSouth's course of conduct, it has never attempted to impose upon a Rural Coalition member

As this Authority is aware, the issues relating to the transit fees and who should be responsible for them have been thoroughly briefed and argued before this Authority in Docket Number 03-00585. At the very least, through its filing and efforts to seek the Authority's approval of this Transit Tariff, BellSouth is attempting to circumvent the Authority's pending decisions in Docket Number 03-00585.

At a minimum, therefore, this Authority should suspend BellSouth's proposed Transit Tariff and re-open the proceedings in Docket Number 03-00585 so that the Authority can consider the impact of BellSouth's Transit Tariff filing on the issues and relationships among the parties in Docket Number 03-00585.

**CONCLUSION**

For the foregoing reasons, the members of the Rural Coalition respectfully request that they be allowed to intervene in Docket Number 04-00380.

Respectfully submitted,

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### CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 1, 2004, a true and correct copy of the foregoing was served on the parties of record via electronic (or U.S., as indicated) mail, and via hand delivery, as indicated:

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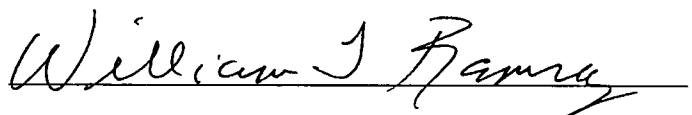
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## Exhibit 1

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CenturyTel of Claiborne, Inc.  
CenturyTel of Ooltewah-Collegedale, Inc.  
Concord Telephone Exchange, Inc.  
Crockett Telephone Company, Inc.  
DeKalb Telephone Cooperative, Inc.  
Highland Telephone Cooperative, Inc.  
Humphreys County Telephone Company  
Loretto Telephone Company, Inc.  
Millington Telephone Company  
North Central Telephone Cooperative, Inc.  
Peoples Telephone Company  
Tellico Telephone Company, Inc.  
Tennessee Telephone Company  
Twin Lakes Telephone Cooperative Corporation  
United Telephone Company  
West Tennessee Telephone Company, Inc.  
Yorkville Telephone Cooperative